

TVC Albany, Inc. dba FirstLight Fiber  
P.S.C. Tariff No. 3 – Access  
Date Effective: November 30, 2016

Original Leaf 5  
Revision 0  
Supersedes Revision 0

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## INTRASTATE ACCESS SERVICE

### 1. Application of Tariff (cont'd)

- 1.5 This tariff applies to any entity which orders service from the Company. Service can be directly ordered by submitting requests for service, or constructively ordered. An entity constructively orders service under this tariff by accepting traffic from the Company (directly or indirectly) and transmitting, transporting, or delivering that traffic to another entity or end user, or by delivering traffic to the Company (directly or indirectly) for termination by the Company to its end user. An entity which fails to block either the receipt from, or delivery to, the Company of such traffic is deemed to constructively order service. An entity will be deemed a Customer under this tariff, and liable for all charges hereunder, when it constructively orders service as described above.
- 1.6 Subject to 1.3 and 1.4 above, this tariff applies to all traffic as defined in Section 17 below.
- 1.7 [Reserved]
- 1.8 This tariff applies to origination and termination by the Company of all calls and all types of traffic of any nature, wherever originated, whether deemed telecommunications traffic, data traffic, mobile services or CMRS traffic.
- 1.9 Notwithstanding anything in this Tariff, this Tariff does not apply to traffic delivered to Company for termination by an incumbent local exchange carrier, or to traffic delivered by Company to an incumbent local exchange carrier, where the sole function of such incumbent local exchange carrier is to provide tandem transit service or the tandem and/or local transport elements of switched access service to an interexchange carrier as part of a Meet Point Billing arrangement with the Company. Provided, however, this exemption shall not be applicable to an incumbent local exchange carrier acting as an interexchange carrier with respect to traffic delivered to, or received from, the Company.

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ISSUED BY: Jill Sandford, Vice President and General Counsel  
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